

REMARKS

With reference to the Office Action, dated March 13, 2006, mentioned above, in which: claims 1-6, 11-13, and 17-28 are rejected under 35 USC 101; claims 1-9, 11-16, and 18-28 are rejected under 35 USC 102 on US Patent No. 6,339,767 (hereinafter, Rivette); and claims 10 and 17 are rejected under 35 USC 103 on Rivette in view of "Aesthetics-Based Graph Layout for Human Consumption" (hereinafter, Coleman), Assignee respectfully requests reconsideration of the present patent application in light of the foregoing amendments and the following remarks. It is asserted that the claims are in condition for allowance and favorable action in this regard is respectfully requested.

Claims 1-28 are pending. Claims 1, 11 and 24 are amended. No claims have been withdrawn or cancelled and no new claims have been added.

Assignee notes the Examiner's statement regarding priority, but respectfully disagrees. In particular, the Examiner fails to acknowledge the other documents to which Assignee has claimed priority.

The Examiner has rejected 1-6, 11-13, and 17-28 under 35 USC section 101 as being directed to non-statutory subject matter. This rejection by the Examiner of these claims is respectfully traversed.

The Examiner points to the US PTO's Guidelines regarding non-statutory subject matter; however, Assignee respectfully asserts that the claims comply with the Guidelines requirement for statutory subject matters.

For example, in this regard, the MPEP states in section 2106, "[t]o be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for

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which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan (discussed in (I) below), or (B) be limited to a practical application within the technological arts." It is asserted that this standard is met with respect to the rejected claims. It is therefore requested that the Examiner withdraw his rejection of these claims on this ground.

The Examiner has rejected claims 1-9, 11-16, and 18-28 under 35 USC 102 on Rivette. This rejection by the Examiner of these claims on this ground is respectfully traversed.

Assignee notes that claims 1, 11 and 24 have been amended. Therefore, while Assignee does not necessarily agree with the Examiner's stated position in the Office Action, Assignee believes that the Examiner's statements are rendered moot in any event. Assignee therefore respectfully asserts that the claims as amended patentably distinguish from Rivette. Likewise, claims 2-9, 12-16, 18-23, and 25-28 depend from the amended claims and, therefore, also patentably distinguish from Rivette on at least the same basis. It is therefore respectfully requested that the Examiner withdraw his rejection of these claims.

The Examiner has also rejected claims 10 and 17 under 35 USC 103 on Rivette in view of Coleman. This rejection of these claims on this ground is respectfully traversed.

It is noted that claims 10 and 17 depend from claims discussed above that have been distinguished from Rivette. It is respectfully asserted that Coleman fails to cure the deficiency of Rivette with respect to the base claims. Therefore, claims 10 and 17 patentably distinguish from the cited documents at least on this ground.

In addition, Assignee respectfully disagrees with the Examiner's reading of Coleman. For example, Coleman does not expressly teach "determining locations at which to display the geometric

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shapes and the lines to reduce overlaps between geometric shapes and crossings between lines."

Therefore, these claims patentably distinguish from the cited documents on this ground as well.

Likewise, Assignee respectfully asserts that the Examiner has failed to provide a motivation for the proposed combination between Rivette and Coleman. Therefore, these claims patentably distinguish from the cited documents on this ground as well.

Assignee therefore respectfully requests that the Examiner withdraw his rejection of these claims.

For at least the reasons listed above, Assignee respectfully submits that claims 1-28 are allowable. Although additional reasons exist to distinguish the cited documents, the foregoing is believed sufficient to address the Examiner's rejections. Likewise, failure of the Assignee to respond to a position taken by the Examiner is not an indication of acceptance or acquiescence of the Examiner's position. It is believed that the Examiner's positions are rendered moot by the foregoing and, therefore, it is believed not necessary to respond to every position taken by the Examiner with which Assignee does not agree.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3130.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500.

Respectfully submitted,

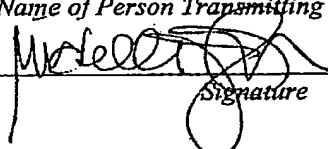
Dated: 7/13/06

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